

CITY COUNCIL PROCEEDINGS

Tuesday, February 15, 2011

6:00 p.m.

1. CALL TO ORDER AND ROLL CALL

Deputy Mayor Wilson called the regular February 15, 2011 council meeting to order at 6:00 p.m. in the Council Chambers.

Those present were: Deputy Mayor Wilson and Council Members Ageton, Appelbaum, Becker, Cowles, Gray, Karakehian and Morzel.

Mayor Osborne was absent.

Deputy Mayor Wilson reminded residents of the upcoming February 17 deadline for Boards and Commissions recruitment.

2. PUBLIC PARTICIPATION and COUNCIL/STAFF RESPONSE – 6:05 p.m.

1. Steve Pomerance spoke on behalf of the steering committee renewablesyes.org and asked council to ensure that the municipalization feasibility study got underway as soon as possible and try not to allow for further delays. This included the update to the RW Beck study. Consultants need to be chosen, the scope of work negotiated and contract signed. He suggested the idea of using two independent consultants on the two critical aspects of the study which would provide balance and incentive to do better work. He urged Council to make sure this got moving forward.
2. Ellen Stark asked Council to direct Planning staff to take another look at the proposed 20th Street access multi-use path. The neighborhood submitted a petition asking for this proposed road to be a pedestrian path and would like more connectivity.
3. Rob Smoke spoke to proposed Federal cuts to the Community Development Block Grant funding that supported many local nonprofits. He asked Council to issue a statement speaking out against the CDBG cuts. He also spoke in opposition to mountain bikes on open space trails.
4. Jason Vogel, President of the Boulder Mountain Bike Alliance and representing thousands of mountain bikers in the community, spoke to his desire to find solutions to the West Trail Study issue. He suggested the idea of connecting city open space parcels to County open space parcels, to forest service land etc...
5. Jean Archuleta commented that well built, sustainable trails would minimize the impact on the environment and preserve the resource. It shouldn't be about exclusion but rather finding solutions to make it work.
6. Adam Sklar, Captain of the Boulder High School Mountain Bike Team, spoke in support of allowing mountain bikes on open space trails. He commented that many students had gotten active in the program and mountain biking was a safe way for youth to get outdoors.
7. Stephen Keenan commented that in 2003 the DRCOG was started with Baghdad as a sister region. He suggested a small town in Egypt should be one of Boulder's next sister city projects.
8. Elizabeth Allen spoke in opposition to a convention center in Boulder. Regarding the Rules of Decorum, she spoke in opposition to randomizing the order of speakers and reminded

Council that the public should have freedom of speech rather than micromanaging what was being said. She also commented that Council Members should not be speaking privately with developers and those meetings should be kept public.

9. Drew Dolan spoke in favor of Council asking Planning staff to take another look at the 20th Street proposal and returning it to a pedestrian path.
10. Leslie Glustrom commented that NREL just released information that a newer photovoltaic cell had just finished testing and was very exciting news. Consideration of rate stabilizing energy was also important.

City Manager Response:

None.

City Attorney Response:

City Attorney Tom Carr clarified that the new rules of decorum that included the randomizing of speakers would take effect on April 5.

City Council Response:

Council Member Gray commented that the National League of Cities had an effort going to get the word out to the congressional delegation for restoration of the CDBG grants. She urged residents to email their congressional delegates. Regarding establishing a sister city in Egypt, she reminded the public that there was a formal process that required residents to form and maintain the sister city relationship.

Council Member Morzel reiterated Council Member Gray's comments and noted she would be happy to talk with anyone interested in establishing a sister city.

Council Member Ageton noted that many individuals were working behind the scenes regarding the CDBG grant issue.

Live, Work, Play Video

Staff showed a video, hosted by Council Member Morzel, of the North Boulder "Nobo" area. Council Member Morzel explained that the North Boulder area was involved in a Statewide Live, Work, Play 2011 People's Choice Award competition. She encouraged residents to go to www3.drcog.org/liveworkplay and vote for Boulder! An individual can vote as many times as they want.

3. **CONSENT AGENDA: - 6:42 p.m.**

- A. **CONSIDERATION OF A MOTION TO APPROVE THE JANUARY 18, 2011 CITY COUNCIL MEETING MINUTES.**
- B. **CONSIDERATION OF A MOTION TO APPOINT MOHAMMED AKACEM TO A THREE-YEAR (3) TERM AS THE CITIZEN AT-LARGE TRUSTEE FOR THE CITY OF BOULDER "OLD HIRE" POLICE DEFINED BENEFIT PENSION PLAN.**

- C. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE THAT INCORPORATES THE UPDATED *DROUGHT PLANNING AND RESPONSE PLAN*, ADDS THE ABILITY TO REDUCE WATER BUDGETS AS A DROUGHT RESPONSE MEASURE AND EMPHASIZES AVOIDING THE WASTE OF WATER BY AMENDING CHAPTERS 11-1, "WATER UTILITY," AND 4-20-25, "MONTHLY WATER USER CHARGES," B.R.C. 1981, AND SETTING FORTH RELATED DETAILS.**

Council Member Gray requested more discussion at second reading on the impacts of growth on the severity of the drought response plan (i.e. model the last drought in 2001 using an increase of 1,000, 2,000 or 3,000 units of population.)

Council Member Becker asked about section 11-1-25.5 (a) "Duty to Avoid Waste of Water and to Maintain Service Lines and Fixtures" where it stated that if a customer exceeds a properly determined water budget designated by the city manager...how does someone overcome that presumption and what was the process. This would be answered as a first reading question.

Council Member Ageton indicated she had submitted first reading questions via Hotline.

- D. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE DESIGNATING THE BUILDING AND PROPERTY AT 550 COLLEGE AVENUE, TO BE KNOWN ALSO AS THE WILSON HOUSE, AS AN INDIVIDUAL LANDMARK UNDER THE CITY'S HISTORIC PRESERVATION CODE. OWNER/APPLICANT: VIOLA AND LINDA HAERTLING**

Council Member Cowles moved, seconded by Gray to approve consent items 3A through 3D. The motion carried unanimously 8:0.

4. **CALL- UP CHECK IN: - 6:43 p.m.**
No interest was expressed.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS: - 6:44 p.m.**
None.

6. **MATTERS FROM THE CITY MANAGER:**
A. **CLEAN ENERGY UPDATE. – 6:45 P.M.**

Community Planning and Sustainability Director David Driskell provided the presentation on the item. He gave an overview of the various staff teams that are working on different aspects of the project. He noted that a contract was signed for the energy baseline analysis

and was moving forward for an April completion. An RFP for the SmartGrid analysis was also active on the web site and proposals were due March 1. An informal conversation with Xcel would be occurring in the next week to keep them informed and find out more about what they were discussing.

Upcoming Events:

Mr. Driskell outlined several upcoming events including a Thursday morning Boulder Economic Council discussion on clean energy issues. Thursday afternoon the Colorado Association of Municipal Utilities would be doing a public presentation sponsored by the Clean Energy Action group at 7pm at the West Senior Center. Council Members were invited to an earlier 3pm discussion that same day at the West Senior Center. The following Tuesday another roundtable would be hosted in the Municipal building lobby.

Council Member Ageton asked whether graduate students looking at municipalization case studies were given a framework. Mr. Driskell confirmed that they were and conversations were ongoing. She suggested staff direct them as much as possible to look at communities similar in size to Boulder.

Council Member Gray commented that the students may want to attend the Thursday evening event with the Colorado Association of Municipal Utilities.

Council Member Becker asked about the comment Steve Pomerance made regarding the idea of having two consultants working on the same project. Staff had discussed the idea but noted it would be fiscally difficult but they were looking at putting strategy advisors for municipalization on retainer who will be able to help inform this decision and review work product quality. They might help identify portions of the work that would benefit from redundancy rather than the entire work effort. Council Member Becker also clarified that the Robertson Bryant phase I would be issued soon but the discussions were underway to define the scope of work. A timeline was not yet available.

Council Member Cowles raised concern that the proposals were late going out. He hoped to see this occurring prior to late February or early March. Mr. Driskell clarified that staff was still shooting for an April/May timeframe and updates on different pieces of the analysis would be provided when available. The goal was to inform a decision in July and study sessions are scheduled for Council in both May and June.

Council Member Appelbaum raised concern whether there would be sufficient time to synthesize everything in the end and whether enough information would be known at that time.

Council Member Morzel commented that the feasibility study needed to get out the door as soon as possible.

Council Member Gray asked whether there was any kind of second opinion process. Mr. Driskell offered that more detail could be provided at the next energy roundtable.

Mr. Driskell then walked through the draft Purpose, Framework, Goals and Objectives document. The Framework for Energy Localization involved democratizing customer choice

and control and investment options; decentralizing local generation, energy independence and energy management and competition as well as innovation and economic vitality; and decarbonizing renewable and clean short and long-term impacts.

Council Member Ageton commented that the framework was extremely well done. Under Goal area two, objective 2C she noted it was assumed that renewable energy markets wouldn't fluctuate and she needed to understand better what the volatility would be in the renewable energy markets.

Council Member Gray asked what the expectations of returns for the investors would be.

Patrick von Keyserling then spoke to the Communications and Community Engagement Plan. The objective was to inform and engage the community in the discussion about Boulder's Energy Future and remain transparent. The effort should maximize Boulder's strengths with strong and consistent messages and frequent community involvement. The effort would require a more strategic and integrated approach. City staff would team up with consultants from Kickstand and Sustineo Creative to develop different ways to reach out to a wider audience. Information kiosks and staff availability for answering public questions would be included in the approach.

Presentations and toolkits to empower council members and community groups would be developed to ensure consistent information was communicated to residents. A project website, listservs, social media and Channel 8 programming would be used along with a new logo. www.bouldercolorado.gov/energyfuture.

Council Member Cowles asked for more information about the information kiosks.

Rob Shurr with Kickstand, LLC and Lucia Robinson from Sustineo Creative then described that the ideas around the information kiosks were 1) mobile pop-up stations (gyms, coffee shops) where they would engage residents in a conversation; and 2) an independent installation on Pearl Street or at the Library which would be un-staffed, interactive exhibits where people can obtain information. A polling component could also be included in the independent stations.

Council Member Becker liked the recreation center idea and perhaps Senior Centers where people are looking for things to read would be another good location.

Council Member Gray thought it might be good to debrief with folks from the Clean Energy Action group to add to the creative ideas.

Council Member Ageton asked whether there would be outreach to young people for instance the Youth Opportunities Advisory Board and CU students. Lucia Robinson responded that there would be outreach that could possibly include lesson plans or quizzes about energy for kids to get parents involved and could possibly involve schools in a contest or competition. In addition, Growing Up Boulder was very interested in participating.

City Manager Brautigam noted that on March 1 the framework would be brought forward for Council's final approval.

7. **MATTERS FROM THE CITY ATTORNEY:**

None.

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL:**

A. **POTENTIAL CALL-UPS:**

1. **LANDMARK ALTERATION CERTIFICATE TO INSTALL 18 SOLAR PANELS ON THE EAST AND WEST FACING ROOF AREAS OF THE CONTRIBUTING HOUSE AT 928 MAPLETON AVENUE IN THE MAPLETON HILL HISTORIC DISTRICT, PER SECTION 9-11-18 OF THE BOULDER REVISED CODE, 1981 (HIS2010-00230). INFORMATION PACKET DATE: FEBRUARY 9, 2011. LAST OPPORTUNITY FOR CALL-UP IS FEBRUARY 15, 2011. APPROVED BY THE LANDMARKS BOARD 4-1, L. PODMAJERSKY OPPOSED.**

No interest was expressed.

B. **UPDATE ON BOULDER CONVENTION AND VISITORS BUREAU. – 7:35 P.M.**

City Manager Brautigam provided an introduction to the item.

Mary Ann Mahoney with the Boulder Convention and Visitors Bureau then provided some background on the Convention and Visitors Bureau noting that industry leaders, both past and present, were interested in partnering with Council to raise tax funds to market Boulder to visitors. The BCVB was interested in continuing a strong partnership with the City. Ms. Mahoney provided data pertaining to how the tourism industry in Boulder had grown and visitor demographics. She discussed the four main areas of focus for the Bureau and key initiatives for 2011. She hoped to partner with the City of Boulder to develop a current market study.

Council Member Karakehian thanked Mary Ann for her hard work in the community.

Council Member Cowles noted that Denver had a 311 volunteer service that could handle 134 languages and would be a concept for Boulder to consider.

OTHER MATTERS: -

Council Member Morzel raised concern over the proposed construction of a 20th Street connection (described in a memo sent out by Charles Ferro) that outlined the Crestview East neighborhood transportation connections.

Council Member Morzel received a nod of five from Council to have staff research the proposed connection between Upland and Tamarack Avenue and a path to change the proposed 20th Street connection option.

9. **PUBLIC COMMENT ON MATTERS:**

None

10. **FINAL DECISIONS ON MATTERS:**

None

11. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION
REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 8:31 P.M.

APPROVED BY:

A handwritten signature in black ink, appearing to read "Susan Osborne", written over a horizontal line.

Susan Osborne,
Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Alisa D. Lewis", written over a horizontal line.

Alisa D. Lewis,
City Clerk